

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office..... JAN 30 1973

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... JAN 30 1973

The applicant Clearance W. and Leah Swain
of P. O. Box 277 Ely, County of.....
State of Nevada 89301, hereby make...^s application for permission to appropriate the public
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
tion; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground
Name of stream, lake or other source.

2. The amount of water applied for is 5.4 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 320 acres

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, T.19N.,
R.55E., M.D.B.&M. or at a point from which the NE corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
Section 34 bears N. 61° 18' 32" E., 2770.31 feet distant.
it should be stated.

6. Place of use E $\frac{1}{2}$ Section 34, T.19N., R.55E., M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about 1st January and end about 31st December, of each year.
Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans
and specifications of your diversion or storage works.) through portable pipes to
portable sprinklers
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$8,000
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks.....This well was previously applied for under permit No.s
21259 and 23360 and well log No. 9384

Applicant.....Clearence W. & Leah Swain

By.....s/ Richard W. Forman
Richard W. Forman (Agent)
P.O. Box 150 Ely, Nevada
Ely, Nevada 89301

Compared.....lk/jw.....bs/ga

.....APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....5.4.....cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....November 15, 1973

Proof of commencement of work shall be filed before.....December 15, 1973

Work must be prosecuted with reasonable diligence and be completed on or before.....November 15, 1974

Proof of completion of work shall be filed before.....December 15, 1974

Application of water to beneficial use shall be made on or before.....November 15, 1977

Proof of the application of water to beneficial use shall be filed on or before.....December 15, 1977

Map in support of proof of beneficial use shall be filed on or before.....December 15, 1977

DEC 20 1973
Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No.....Issued.....
Recorded.....Bk.....Page.....
.....County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 15th day of May

A.D. 1973

CANCELLED.....BECAUSE OF FAILURE.....State Engineer

OF APPLICATION TO CONSIDER THE FULFILLMENT OF PERMIT

ROLAND D. WESTERGARD.....STATE ENGINEER